

FILED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MAR 28 2019

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,

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)

Plaintiff,

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v.

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)

JOHN WILLIAM DAVIS,

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Defendant.

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4:19CR244 ERW/DDN

INDICTMENT

COUNT I
(Transportation)

The Grand Jury charges that:

At all times pertinent to the charges in this indictment:

1. Federal law defined the term

(a) "minor" to mean any person under the age of eighteen years (18 U.S.C.

§2256(1));

(b) "sexually explicit conduct" to mean actual or simulated--

(i) sexual intercourse, including genital-genital, anal-genital, oral-genital,
oral-anal, whether between persons of the same or opposite sex,

(ii) bestiality,

(iii) masturbation,

(iv) sadistic or masochistic abuse, or

(v) lascivious exhibition of the genitals or pubic area of any person (18 U.S.C.

§2256(2)(A));

(c) "computer" to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C. §2256(6));

(d) "child pornography" to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where--

(A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or

(C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct. (18 U.S.C. §2256(8)).

2. The "Internet" was, and is, a computer communications network using interstate and foreign lines to transmit data streams, including data streams used to store, transfer and receive graphic files.

3. Between on or about February 4, 2018, and on or about September 13, 2018, within the Eastern District of Missouri and elsewhere,

JOHN WILLIAM DAVIS,

the defendant herein, did knowingly transport child pornography using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer or tablet, to wit, defendant transported via the internet, image files that contained child pornography, including, but not limited to, the following:

1. "th-1325167969-604x402.jpg" – a graphic image that depicts a minor female in lascivious display of her genitals and engaged in genital-genital sexual intercourse with an adult male;
2. "ba6fca53-34b5-44e2-96ce-525bbc26b082.mp4" – a graphic video that depicts a minor female in lascivious display of her genitals and engaged in oral-genital sexual intercourse with an adult male; and
3. "band_video_2017_09_04_16_32_11.mp4"- a graphic video that depicts a minor female in lascivious display of her genitals and engaged in sadistic or masochistic abuse.

In violation of Title 18, United States Code, Sections 2252A(a)(1) and 2.

COUNT II
(Possession)

The Grand Jury further charges that:

4. The Grand Jury realleges the definitions set forth in paragraphs 1 through 2 of Count One.
5. Between on or about October 16, 2015, and on or about March 22, 2016, within the Eastern District of Missouri and elsewhere,

JOHN WILLIAM DAVIS,

the defendant herein, did knowingly possess material that contained an image of child pornography that was produced using materials that traveled in interstate and foreign commerce, to wit, a Samsung Galaxy S5, said electronic device having being produced outside of Missouri and therefore having traveled in interstate and foreign commerce, and said electronic device contained child pornography, including by not limited to, the following:

1. "ptch Pedoland Frifam 2010 kgirl-Fucking My 8yo Daughter.mpg" – a graphic video that depicts, in part, a prepubescent minor female in a bathtub in a lascivious display of her genitals then engaged in oral-genital sexual intercourse with an adult male; and
2. "cp ni_a toma agua y se desnuda.mp4" – a graphic video that depicts a minor female in a lascivious display of her genitals while engaging in masturbation.

In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

A TRUE BILL.

FOREPERSON

JEFFREY B. JENSEN
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Assistant United States Attorney